

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EDWIN RODRIGUEZ, :
Plaintiff, :
v. : Case No. 3:14-cv-111-KRG-KAP
S.C.I. SOMERSET, et al., :
Defendants :

Report and Recommendation

Plaintiff's "Motion For Reconsideration..." at docket no. 8, see Fed.R.Civ.P. 59, was referred to me under 28 U.S.C. § 636(b)(3). The motion should be denied.

Plaintiff does not suggest an intervening change in controlling law or the availability of new evidence, and does not show the need to correct a clear error of law or prevent manifest injustice. See Wiest v. Lynch, 710 F.3d 121, 128 (3d Cir.2013) (discussing three purposes of motion under Fed.R.Civ.P. 59). The motion simply argues the court was wrong in finding his complaint inadequate to state a federal claim.

Pursuant to 28 U.S.C. § 636(b)(1), the parties are given notice that they have fourteen days to serve and file written objections to this Report and Recommendation.

DATE: 19 August 2014



Keith A. Pesto,
United States Magistrate Judge

Notice to counsel of record by ECF and by U.S. Mail to:

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